

#### CERTIFICATE OF MAILING 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

December 21, 2004

Date

Shelley P.M. Fussey

**PATENT** 

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### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Philip E. Thorpe and Rolf A. Brekken

Serial No.: 10/738,404

Filing Date: December 17, 2003

For: ANTI-VEGF ANTIBODY PRODRUG

METHODS (As Amended)

Group Art Unit: 1642

Examiner: Yaen, C.

Atty. Dkt. No.: 3999.002587

### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that the present Supplemental Information Disclosure Statement be entered and the documents listed on the enclosed Form PTO-1449 be considered by the Examiner and made of record in the present case. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

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The present Supplemental Information Disclosure Statement is being filed prior to the

receipt of a first Official Action reflecting an examination on the merits and hence is timely filed

in accordance with 37 C.F.R. § 1.97(b). Therefore, no fees should be due in connection

herewith. Even if an Official Action had been issued in the last few days, no fees would be

required in light of the following information.

In accordance with 37 C.F.R. § 1.97(e)(2), it is hereby certified that the documents listed

in the accompanying Form PTO-1449 were not cited in a communication from a foreign patent

office in a foreign counterpart to the present application. The listed documents were provided by

European legal representatives of another party in connection with their defense to an Opposition

filed against their European patent by the licensee of the present application. The listed

documents were provided by the other party with a letter dated September 21, 2004, which was

sent to European legal representatives of the licensee of the present application on September 23,

2004. The present statement is being filed within three months of the date of the original letter

and is thus timely.

No fees should be due in connection with the filing of this Supplemental Information

Disclosure Statement. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed

necessary for any reason, the Examiner should contact the undersigned representative to discuss

deduction from Williams, Morgan & Amerson Deposit Account No. 50-0786/3999.002587.

Respectfully submitted, Williams, Morgan & Amerson, P.C.

Customer No. 23720

A

Shelley P.M. Fussey, Ph.D.

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Date: December 21, 2004

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Form PTO-1449 (modified) List of Patents and Publications for Applicant's ATION DISCLOSURE STATEMENT (Use several sheets if necessary) U.S. Patent Documents

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Atty. Docket No.	Serial No.		
3999.002587	10/738,404		
Applicant	<del></del>	•	
Thorpe and Brekken			

Group:

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Filing Date: December 17, 2003

1642 **Foreign Patent Documents** Other Art

## **U.S. Patent Documents**

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Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.

## **Foreign Patent Documents**

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No

# Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C166	Bicknell and Harris, "Anticancer Strategies Involving the Vasculature: Vascular Targeting and the Inhibition of Angiogenesis," <i>Seminars in Cancer Biology</i> , 3:399-407, 1992.
	C167	Bicknell and Harris, "Novel Growth Regulatory Factors and Tumour Angiogenesis," Eur. J. Cancer, 27(6):781-785, 1991.

**EXAMINER:** 

**DATE CONSIDERED:**